

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

Editor's Note: The following Notices of Rulemaking Docket Opening were filed with the Secretary of State's Office before the implementation Governor's Regulatory Review Plan memorandum, January 22, 2009. See a copy of the memorandum in this issue on page 342.

Because the Governor's Office memorandum does not specifically request agencies to withdraw Notices of Rulemaking Docket Opening already filed, they remain on file with our office.

Please be advised that the following Notices of Rulemaking Docket Opening may fall under the review of Governor's Regulatory Review Plan memorandum, January 22, 2009. Contact the agency for more information.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF REVENUE INCOME AND WITHHOLDING TAX SECTION

[R09-22]

- 1. Title and its heading:** 15, Revenue
Chapter and its heading: 2, Department of Revenue – Income and Withholding Tax Section
Subchapter and its heading: C, Individuals
Article and its heading: 5, Credits; 6, Nonresidents
Section numbers: R15-2C-501 and R15-2C-603
- 2. The subject matter of the proposed rules:**
R15-2C-501: Credit for Net Income Taxes Paid to Another State or Country by an Arizona Resident
The Department will amend the existing rule to incorporate by reference definitions that were recently added to A.R.S. § 43-1071 and remove language that is now superfluous. In addition, a new subsection will be to address dual residents based on a recent addition to A.R.S. § 43-1071.

R15-2C-603: Credit for Net Income Taxes Paid to Another State or Country by an Arizona Nonresident
The Department will amend the existing rule to incorporate by reference definitions that were recently added to 43-1096 and remove language that is now superfluous.
- The agency docket number:**
09-02-01
- 3. A citation to all published notices relating to the proceeding:**
None
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Betty Ruel, Analyst
Address: Tax Policy and Research Division
Department of Revenue
1600 W. Monroe St.
Phoenix, AZ 85007

Telephone: (602) 716-6804
Fax: (602) 716-7995
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
To be published in the Notice of Proposed Rulemaking
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
None

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NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF REVENUE
INCOME AND WITHHOLDING TAX SECTION

[R09-23]

- 1. Title and its heading:** 15, Revenue
Chapter and its heading: 2, Department of Revenue – Income and Withholding Tax Section
Subchapter and its heading: D, Corporations
Article and its heading: 10, Financial Institution Apportionment; 16, Credits
Section numbers: R15-2D-1001 through R15-2D-1601 (Sections may be added, deleted, or modified as necessary.)
- 2. The subject matter of the proposed rules:**
The rules provide an alternative apportionment ratio for financial institutions and renumber one rule.
The agency docket number:
09-2-02
- 3. A citation to all published notices relating to the proceeding:**
None
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Helen Armstrong, Analyst
Address: Tax Policy and Research Division
Department of Revenue
1600 W. Monroe St.
Phoenix, AZ 85007
Telephone: (602) 716-6805
Fax: (602) 716-7995
E-mail: harmstrong@azdor.gov
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
To be published in the Notice of Proposed Rulemaking
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
None

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ENVIRONMENTAL QUALITY
SOLID WASTE MANAGEMENT

[R09-26]

- 1. Title and its heading:** 18, Environmental Quality
Chapter and its heading: 13, Department of Environmental Quality – Solid Waste Management
Articles and their headings: 1, General; 2, Solid Waste Definitions; 4, Requirements for Solid Waste Facilities Subject to Best Management Practices; 5, Requirements for Solid Waste Facilities Subject to Self-Certification; 6, Requirements for Solid Waste Facilities Subject to Plan Approval; 7, Solid Waste Facility Fees; 11, Collection, Transportation, and Disposal of Human Excreta; 18, Financial Responsibility for Solid Waste Facilities; 21, Municipal Solid Waste Landfills; 25, Recycling
Section numbers: R18-13-101, R18-13-401 through R18-13-413, R18-13-501 through R18-13-520, R18-13-601 through R18-13-627, R18-13-701 through R18-13-709 and Appendix A, R18-13-702.01 and R18-13-707.01, R18-13-1102, R18-13-1103, R18-13-1106, R18-13-1112, R18-13-1116 and R18-13-1117, R18-13-1801 through R18-13-1806, R18-13-2101 through R18-13-2103 (Sections may be added, deleted, or modified as necessary.)
- 2. The subject matter of the proposed rule:**
The purpose of this rulemaking is to establish a framework for regulating solid waste facilities and solid waste streams in Arizona. This rulemaking will implement statutory provisions related to best management practices, self-

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certification requirements, plan approval procedures, financial assurance requirements, design and operation rules for solid waste facilities, and other topics.

3. A citation to all published notices relating to the proceeding:

Notice of Rulemaking Docket Opening: 11 A.A.R. 870, February 25, 2005

Notice of Rulemaking Docket Opening: 12 A.A.R. 585, February 24, 2006

Notice of Rulemaking Docket Opening: 13 A.A.R. 583, February 23, 2007

Notice of Rulemaking Docket Opening: 14 A.A.R. 537, February 22, 2008

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Martha L. Seaman

Address: Department of Environmental Quality
1110 W. Washington St. (#4210-G)
Phoenix, AZ 85007

Telephone: (602) 771-2221, or toll-free in Arizona: 800-234-5677, ext. 2221

Fax: (602) 771-4138

E-mail: seaman.martha@azdeq.gov

or

Name: Peg Guichard-Watters

Address: Department of Environmental Quality
1110 W. Washington St. (#4210-J)
Phoenix, AZ 85007

Telephone: (602) 771-4117, or toll-free in Arizona: 800-234-5677, ext. 4117

Fax: (602) 771-4138

E-mail: guichard-watters.peggy@azdeq.gov

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

The Department will accept comments during business hours at the address listed in item 4. Information regarding an oral proceeding is included in the Notice of Proposed Rulemaking in this issue.

6. A timetable for agency decisions or other action on the proceeding, if known:

To be determined